

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.:

Filing Date:

Applicant: Hank E. Millet et al.

Group Art Unit:

Examiner:

Title: COMPRESSOR CONFIGURATION SYSTEM AND  
METHOD

Attorney Docket: 0315-000487/COD

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Director of the United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicant hereby submits an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS, AND OTHER INFORMATION

The patents, publications and other information requested to be considered by the Office (except unpublished U.S. patent applications) are listed on Form 1449 attached hereto.

II. COPIES

A. \_\_\_\_ Submitted herewith is a legible copy of (i) each U.S. patent application publication and U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; (iii) for each cross-referenced pending U.S. application listed below in Section IV, the application specification including the claims, and any drawing of the application which caused it to be listed including the claims directed to that portion; and (iv) all other information or that portion which caused it to be listed.

B. X Any patents, publications or other information which are listed on Form 1449 or on the copies of PTO-892, but which are not enclosed herewith, were previously cited by or submitted to the PTO in one of the following applications which has been relied upon for an earlier filing date under 35 U.S.C. § 120:

U.S. Serial Number  
09/515,802  
09/977,552

U.S. Filing Date  
2-29-2000  
10-15-2001

C. X Because the present application was/is being filed after June 30, 2003, no copies of the U.S. patents or U.S. patent application publications which are listed on the attached Form 1449 are enclosed pursuant to the waiver of 37 C.F.R. § 1.98(a)(2)(i). Any foreign patent documents or non-patent literature listed on the attached Form 1449 are enclosed herewith.

D. \_\_\_\_ This is a PCT application in the entry of the National Phase in the United States. A copy of the International Search Report is attached for the Examiner's information. The documents listed on the International Search Report are listed on the attached Form-1449 for consideration by the Examiner and for listing on any patent resulting from this application. If the International Search Report was from the US, EPO, or JPO search authorities, copies of these references should have been supplied to the USPTO under the trilateral agreement and are believed to be in the file of the above-identified application. (MPEP 1893.03(g))

III. CONCISE EXPLANATION OF THE RELEVANCE (check at least one box)

A. X Except as may be indicated below in (B), all of the patents, publications or other information are in the English language (concise explanation not required).

B. X A concise explanation of the relevance of each patent, publication or other information listed that is not in the English language is as follows (see 37 C.F.R. § 1.98(a)(3)):

1. \_\_\_\_ See the attached foreign patent office communication from a counterpart foreign application.

2. \_\_\_\_ English translations are provided.

3. X Other: **English language abstracts provided for JP 02110242; JP 02294580 and JP 06058273. DE 1403467 appears to disclose a control circuit for a compressor, but no English language abstract was available for inclusion with this submission.**

C. X The following additional information is provided for the Examiner's consideration. **European Search Report is attached for the Examiner's information.**

IV. CROSS REFERENCE TO RELATED APPLICATION(S)

A. X The Examiner is advised that the following co-pending application(s) contain(s) subject matter that may be related to the present application. By bringing this(these) application(s) to the Examiner's attention, Applicant(s) does(do) not waive the confidentiality provisions of 35 U.S.C. § 122.

Serial No.  
09/977,552

Filing Date  
10-15-2001

Art Unit  
3746

V. THIS IDS IS BEING FILED UNDER

A. X **37 C.F.R. § 1.97(b):** (check only one box)

1. X within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d) (37 C.F.R. § 1.97(b)(1)). No fee or certification is required.

2. \_\_\_\_ within three months of the date of entry of the national stage as set forth in §1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or certification is required.

3. \_\_\_\_ before the mailing of a first Office Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or certification is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the certification under 37 C.F.R. § 1.97(e) below; or, if no certification has been made, charge our deposit account a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).

4. \_\_\_\_ before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No fee or certification is required.

B. \_\_\_\_ **37 C.F.R. § 1.97(c):** (check only one box)

before the mailing date of either any Final Office Action under 37 C.F.R. § 1.113, a Notice of Allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution.

1. \_\_\_\_ No certification; therefore, a fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).

2. \_\_\_\_ See the certification below. No fee is required.

C. \_\_\_\_ **37 C.F.R. § 1.97(d):**

after the mailing date of either a Final Office Action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311, yet on or before payment of the issue fee.

1. \_\_\_\_ See the certification below. A fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).

VI. CERTIFICATION UNDER 37 C.F.R. § 1.97(e): (check only one box)

The undersigned hereby certifies that:

A. \_\_\_\_ each item of information contained in this IDS was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(1)). See further statement under 37 C.F. R. 1.704(d) below in section VII, if applicable; or

B. \_\_\_\_ no item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(2)).

C. \_\_\_\_ Some of the items of information were first cited in a communication from a foreign patent office. As to this information, the undersigned hereby certifies that each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS.

VII. STATEMENT UNDER 37 CFR 1.704(d)

The undersigned hereby states that:

\_\_\_\_ each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this IDS.

VIII. PAYMENT OF FEES (check only one box)

A. \_\_\_\_ A check in the amount of \$180.00 is enclosed for the above-identified fee.

B. \_\_\_\_ Please charge Deposit Account No. 08-0750 in the amount of \$180.00 for the above-indicated fee. A duplicate copy of this paper is attached.

The above references are being cited only in the interest of candor and without any admission that they constitute statutory prior art, contain matter which anticipates the invention, or which would render the same obvious, either singly or in combination, to a person of ordinary skill in the art. Furthermore, this Information Disclosure Statement shall not be construed as a representation that a search has been made.

If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition if necessary) and charge the appropriate fee to Deposit Account No. 08-0750.

Please charge any additional fees or credit any overpayment pursuant to 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. 08-0750.

Respectfully submitted,

Dated: January 30, 2004

By:   
Michael Malinzak, Reg. No. 43,770

HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303  
(248) 641-1600

MM:ca

<p>FORM HDP-1449 (Based on Form PTO-1449)</p> <p><b>PATENT AND TRADEMARK OFFICE</b></p> <p><b>INFORMATION DISCLOSURE CITATION</b></p> <p>(Use several sheets if necessary)</p> <p>Sheet 1 of 3</p>	ATTORNEY DOCKET NO.	SERIAL NO.
	0315-000487/COD	
	APPLICANT	
	Hank E. Millet et al.	
	FILING DATE	GROUP

U.S. PATENT DOCUMENTS						
Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
1.		3,735,377	5/1973	Kaufman		
2.		3,783,681	1/1974	Hirt et al.		
3.		4,060,716	11/1977	Pekrul et al.		
4.		4,102,394	7/1978	Botts		
5.		4,345,162	8/1982	Hammer et al.		
6.		4,372,119	2/1983	Gillbrand et al.		
7.		4,390,321	6/1983	Langlois et al.		
8.		4,390,922	6/1983	Pelliccia		
9.		4,399,548	8/1983	Castleberry		
10.		4,425,010	1/1984	Bryant et al.		
11.		4,429,578	2/1984	Darrel et al.		
12.		4,479,389	10/1984	Anderson, III et al.		
13.		4,502,843	3/1985	Martin		
14.		4,580,947	8/1986	Shibata et al.		
15.		4,655,688	7/1987	Bohn et al.		
16.		4,884,412	12/1989	Sellers et al.		
17.		4,909,076	3/1990	Busch et al.		
18.		4,913,625	4/1990	Gerlowski		
19.		5,056,036	10/1991	Van Bork		
20.		5,109,700	5/1992	Hicho		
21.		5,119,466	6/1992	Suzuki		

Examiner:	Date Considered:
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EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<b>FORM HDP-1449 (Based on Form PTO-1449)</b>  <b>PATENT AND TRADEMARK OFFICE</b> <b>INFORMATION DISCLOSURE CITATION</b> (Use several sheets if necessary)  Sheet 2 of 3	ATTORNEY DOCKET NO.	SERIAL NO.
	0315-000487/COD	
	APPLICANT	
	Hank E. Millet et al.	
	FILING DATE	GROUP

U.S. PATENT DOCUMENTS						
Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
22.		5,203,178	4/1993	Shyu		
23.		5,224,835	7/1993	Oltman		
24.		5,362,206	11/1994	Westerman et al.		
25.		5,381,692	1/1995	Winslow et al.		
26.		5,423,190	6/1995	Friedland		
27.		5,509,786	4/1996	Mizutani et al.		
28.		5,602,757	2/1997	Haseley et al.		
29.		5,610,339	3/1997	Haseley et al.		
30.		5,641,270	6/1997	Sgourakes et al.		
31.		5,707,210	1/1998	Ramsey et al.		
32.		5,713,724	2/1998	Centers et al.		
33.		5,741,120	4/1998	Bass et al.		
34.		5,975,854	11/1999	Culp, III et al.		
35.		5,984,645	11/1999	Cummings		
36.		6,035,661	3/2000	Sunaga et al.		
37.		6,125,642	10/2000	Seener et al.		
38.		6,129,527	10/2000	Donahoe et al.		
39.		6,179,214	3/2001	Key et al.		
40.		6,276,901	8/2001	Farr et al.		
41.		6,471,486	10/2002	Centers et al.		

Examiner:	Date Considered:
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EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<b>FORM HDP-1449 (Based on Form PTO-1449)</b>  <b>PATENT AND TRADEMARK OFFICE</b> <b>INFORMATION DISCLOSURE CITATION</b> (Use several sheets if necessary)  Sheet 3 of 3	ATTORNEY DOCKET NO.	SERIAL No.
	0315-000487/COD	
	APPLICANT	
	Hank E. Millet et al.	
	FILING DATE	GROUP

FOREIGN PATENT DOCUMENTS							
Ref. Desig.	Examiner's Initials	Document Number	Date	Country	Class/ Subclass	Translation Yes	No
1.		WO 9917066	08.04.1999	PCT			
2.		DE 1403467	09.10.1969	Germany			
3.		EP 0085246	10.08.1983	EPO			
4.		WO 9718636	22.05.1997	PCT			
5.		JP 02110242	23.04.1990	Japan		Abstract	
6.		JP 02294580	05.12.1990	Japan		Abstract	
7.		JP 06058273	01.03.1994	Japan		Abstract	

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)		
Ref. Desig.	Examiner's Initials	
1.		European Search Report for Application No. EP 01 30 1752; 23 March 2002; 5 Pages.

Examiner:	Date Considered:
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EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.